

REMARKS

As a preliminary matter, Applicants memorialize a telephone interview between Applicants' representative, Manish Vyas, and Examiner Lev on January 10, 2005, and in regard to the above-referenced application. During this interview, Applicants raised concerns about the Examiner's issuance of a Final Office Action in response to the Request For Continued Examination that was filed on July 28, 2004. Specifically, Applicants addressed the Examiner's presentation of alternative grounds of rejection that relied a new reference, the Jordan reference (U.S. Patent No. 5,209,572), in the issued Final Office Action. Applicants asserted that the Examiner's presentation of new grounds of rejection and concurrent holding of finality did not provide Applicants a full and fair opportunity to respond, nor did it allow for a full discussion of the issues prior to a possible appeal. In view of Applicants' concerns, the Examiner agreed to consider claim amendments presented in the forthcoming Response to Final Office Action. Additionally, the Examiner agreed to strongly consider entering such amendments for the purpose of appeal.

In a short time after the filing of this paper, the Undersigned will contact the Examiner and respectfully request an interview to discuss the foregoing claim amendments and the following remarks. Of course, the Examiner is invited to contact the Undersigned at the Examiner's leisure.

Claim Objections

In the Final Office Action, the Examiner objected to claim 70 "because the phrase 'comprising the acts of' should be 'comprising the steps of'." Final Office Action mailed November 15, 2004, p. 2. Respectfully, Applicants disagree with the Examiner's objection, because there is no legal basis or requirement for this requested change. Nonetheless, the Examiner's objection is now moot in view of Applicants deletion of the recitation "the acts of" by the present Response. Applicants note that this amendment does not narrow the scope of claim 70.

Claim Rejections

In the Final Office Action, the Examiner rejected claims 52-62 and 64-82. By the present Response, Applicants have amended claims 52, 54, 56-62, and 68-71. Upon entry of the amendments, claims 52-62 and 64-82 will remain pending in the present application. In view of the foregoing amendments and the following remarks, Applicants respectfully request reconsideration and allowance of all pending claims.

Rejections under 35 U.S.C. § 112

In the Final Office Action, the Examiner rejected claims 54, 68, and 77-82 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicants regard as the invention. Specifically, the Examiner stated as follows:

As concerns claim 54 the phrase “the first telescoping rail assembly” lacks antecedent basis and therefore renders the claim as vague and indefinite.

As concerns claim 68 the phrase “the support rail”, in line 3, is vague and indefinite since it is unclear as to which support rail is being referred to.

As concerns claim [sic] 77-82, it is not clear if the “rack system” is being claimed or if the “rack system” is being claimed in combination with a computer component” since in the preamble(s) only a “rack system” is being set forth, however, through claims 77-82 a “computer component” is also being set forth. The applicant must either positively claim the combination in the preamble, or add “adapted to be[]” language to claims 77-82 to make it clear that just the “rack system” is being claimed, i.e., “*adapted to support a computer component*”.

Final Office Action mailed November 11, 2004, p. 2 (emphasis in original). Applicants address in turn below the Examiner’s Section 112 rejections.

Regarding amended claim 54, Applicants have amended this claim to recite “the first telescoping slide rail.” Also, antecedent basis for this recitation is found in claim 53, which recites “a first telescoping slide rail.” Accordingly, Applicants respectfully assert that amended claim 54 is neither vague nor indefinite. This amendment does not narrow the scope of claim 54.

Regarding claim 68, Applicants respectfully assert that the Examiner’s amendments are now moot in view of Applicants’ amendments to this claim, which now recites “the first support rail” in line 3. Applicants note that this amendment does not narrow the scope of claim 68.

Regarding claims 77-82, Applicants respectfully assert that there is no requirement that claimed features be “positively claimed” in the preamble. Each of the preambles of claims 77-82 states “[t]he computer rack system.” A computer rack system may or may not include one or more computer components. With this in mind, Applicants respectfully assert that the fact that claims 77-82 recite a “computer component” in the body of the claim does not require that the preamble positively recite a computer component as well. In summary, Applicants respectfully assert that the Examiner has improperly based the rejection of claims 77-82 on a nonexistent legal principle.

Based on the foregoing, Applicants respectfully request the Examiner withdraw the Section 112 rejections of claims 54, 68, and 77-82 and allow these claims.

Rejections under 35 U.S.C. § 102

In the Final Office Action, the Examiner rejected claims 52-54, 56-60, 62, 64-66, and 68-82 under 35 U.S.C. § 102(b) as anticipated by the Good et al. reference (U.S. Patent No. 5,571,256; hereinafter “Good”) and as anticipated by the Jordan reference (U.S. Patent No. 5,209,572; hereinafter “Jordan”). Applicants, however, respectfully

assert that all presently pending claims are patentable over both Good and Jordan, as further discussed in turn below.

Anticipation under Section 102 can be found only if a single reference shows exactly what is claimed. *See Titanium Metals Corp. v. Banner*, 227 U.S.P.Q. 773 (Fed. Cir. 1985). For a prior art reference to anticipate under Section 102, every element of the claimed invention must be identically shown in a single reference. *See In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). Moreover, the prior art reference also must show the identical invention “in as complete detail as contained in the ... claim” to support a *prima facie* case of anticipation. *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989) (emphasis added). Accordingly, Applicants need only point to a single element not found in the cited reference to demonstrate that the cited reference fails to anticipate the claimed subject matter. Additionally, for anticipation, the cited reference must not only disclose all of the recited features but must also disclose the part-to-part relationships between these features. *See Lindermann Maschinenfabrik GMBH v. American Hoist & Derrick*, 221 U.S.P.Q. 481, 486 (Fed. Cir. 1984). With the foregoing in mind, Applicants respectfully assert that all of the pending claims are not anticipated by either Good or Jordan and, as such, are patentable and in condition for allowance.

Section 102 Rejections under Good

As discussed above, the Examiner rejected claims 52-54, 56-60, 62, 64-66, and 68-82 under Section 102 as anticipated by Good. Applicants, however, respectfully assert that Good at least fails to disclose all of the features recited in amended independent claims 52, 57, 69, 70, and 71 and independent claim 72, which are the independent claims of the above-rejected claims.

Amended Independent Claims 52, 70, and 71 and the Claims Depending Therefrom

By way of example, Good does not disclose a telescopic rail assembly having first and second moveable portions respectively disposed on opposite sides of a common plane

including the appropriate peripheral edges of first and second rack members to which the rail assembly is mounted, as is recited in amended independent claims 52, 70, and 71. Rather, Good discloses a slide structure 44 in which all moveable portions of the slide structure 44 are disposed on the same side of a common plane including the rack members 14a and 16a to which the slide structure 44 is mounted. *See generally* Good, Figs. 1 and 2 (noting the location of the slide structure 44 with respect to the rack members 14 and 16). In the Good device, a slide support bracket 52 spans and is mounted to rack members 14a and 16a. *See id.* at col. 5, ll. 17-24; Fig. 1. This slide support bracket 52 includes a base wall 54 to which the slide structure 44 is mounted. As illustrated, mounting the slide structure 44 to rack members 14a and 16a locates every portion of the slide structure 44 to the left of rack members 14a and 16a. *See id.* at Figs. 2 and 3.

Accordingly, if one were to consider a plane that extends from a peripheral edge of the first rack member 14a to a peripheral edge of the second rack member 16a (e.g., a plane extending from the leftmost vertical edge of rack member 14a to the leftmost vertical edge of rack 16a), all portions of the slide structure 44 would be to the left of this plane. Thus, Good does not disclose an assembly in which any portions of the slide structure 44, let alone first and second moveable portions of the slide structure 44, are respectively located on opposite sides of this plane that includes the peripheral edges of the rack members 14a and 16a.

Therefore, Applicants respectfully assert that Good does not anticipate independent claims 52, 70, and 71. Moreover, Applicants respectfully assert that dependents claims 53-56, which depend from claim 52, are patentable not only by virtue of their dependencies on an allowable base claim but also by virtue of the additional features recited therein. With the foregoing in mind, Applicants respectfully request reconsideration and allowance of claims 52-56, 70 and 71.

Amended Claim 57 and the Claims Depending Therefrom

As another example, Good does not disclose a support rail mountable to a pair of rack members via a pair of mounting flanges, wherein the pair of mounting flanges extend in a direction toward the telescoping rail assembly, as is recited in independent claim 57. Rather, Good discloses an assembly in which the mounting end sections 54a and 54b are bent to extend in a direction away from the slide structure 44. *See* Good, col. 5, ll. 25-27; col. 5, ll. 33-35; Fig. 2. As discussed above, the slide structure 44 of Good is mounted to the support bracket 52 that, in turn, is mounted to the rack members 14a and 16a. *See id.* at col. 5, ll. 18-24; Fig. 1. Specifically, the support bracket 52 mounts to the rack members 14a and 16a via tabbed end sections 54a and 54b. *See id.* at col. 5, ll. 25-31. This bent design of the end sections 54a and 56b of the support bracket 52 extend the end sections 54a and 54b away from the slide structure 44, causing almost all of the support bracket 52 and all of the slide structure 44 to impinge on the interior, storage region of the Good assembly. As a practical matter, this impingement reduces the width of a component that may be inserted and stored in the Good assembly. By comparison, mounting flanges that extend toward the appropriate rail assembly facilitate recessing of the support rail between the rack members to which it is mounted, thereby reserving more of the interior space of the rack assembly for the mounted component.

Accordingly, Applicants respectfully assert that Good does not anticipate amended independent claim 57. Moreover, Applicants respectfully assert dependent claims 58-62 are also not anticipated by Good by virtue of their dependencies on an allowable base claim and also by virtue of the additional features recited therein. With the foregoing in mind, Applicants respectfully request reconsideration and allowance of claims 57-62.

Amended Independent Claim 69 and the Claims Depending Therefrom

As yet another example, Good does not disclose a support rail mounted to a pair of rack members, “such that the entire length of the first support rail is wholly between

the first pair of rack members and such that no portion of the first support rail extends outwardly in any direction from between the first pair of rack members,” as is recited in amended independent claim 69. Rather, Good discloses a support member 52 that extends beyond and that is not wholly between the pair of rack members 14a and 16a to which it is mounted. As discussed above, the support bracket 52 mounts to the rack members 14a and 16a via the tabbed end sections 54a and 54b. *See Good*, col. 5, ll. 25-31. Specifically, as is best illustrated in Fig 3 of Good, the rear end section 54b secures to the rack member 16a from behind the rack member 16a. Thus, not all portions of the support bracket 52 of Good lie between the rack members 14a and 16a to which it is mounted. Furthermore, the outwardly bent design of the tabbed end sections 54a and 54b forces the support bracket 52 of Good to impinge on the interior region of the Good assembly, as discussed above. Accordingly, Good’s support bracket 52 necessarily extends outward beyond, in various directions, the rack members to which it is mounted. Thus, Good does not disclose a support rail that is wholly between and that does not extend beyond the rack members to which it is mounted.

Therefore, Applicants respectfully assert that Good does not anticipate amended independent claim 69. Moreover, Applicants respectfully assert that its dependent claims 64-68 are also not anticipated by Good, by virtue of their dependencies on an allowable base claim and also by virtue of the additional features recited therein. With the foregoing in mind, Applicants respectfully request reconsideration and allowance of claims 64-69.

Independent Claim 72 and the Claims Depending Therefrom

As a preliminary matter, Applicants respectfully remind the Examiner that an examiner’s action must be “complete as to all matters.” 37 C.F.R. § 1.104(b). Indeed, the M.P.E.P. states that “[i]n order to provide a complete application file history and to enhance the clarity of the prosecution history record, an examiner must provide clear explanations of all actions taken by the Examiner during prosecution of an application.”

M.P.E.P § 707.07(f). Moreover, 37 C.F.R. § 1.104(c)(2) requires that “[t]he pertinence of each reference, if not apparent, must be clearly explained and each rejected claim specified.” Additionally, this section states “[w]hen a reference is complex or shows or describes inventions other than that claimed by the applicant, the particular part relied on must be designated as clearly as possible.” *See* 37 C.F.R. § 1.104(c)(2). Accordingly, to establish a valid and *prima facie* case for anticipation, the Examiner must clearly demonstrate that the cited reference discloses all of the subject matter recited in the all of the rejected claims.

With the foregoing in mind, Applicants respectfully assert that the Examiner has failed to present a proper and *prima facie* case of anticipation of the instant claim, because the Examiner has failed to properly apply Good and has failed to articulate sufficiently how Good anticipates the instant claim. Applicants respectfully assert that the Examiner’s rejection does not even address, let alone demonstrate with sufficient specificity, how Good discloses all of the features recited in independent claim 72.

In any event, Applicants respectfully assert that Good also fails to disclose all of the features recited in claim 72. For example, Good fails disclose a support member that is coupled to front and rear frame portions such that that support member does not extend into first and second openings that are defined by the inner periphery of the front frame portion and the inner periphery of the rear frame portion, respectively, as is recited in claim 72. Rather, Good discloses an assembly in which the support member 52 impinges (i.e., extends) into the front and rear openings respectively defined by the front rack members 14a and 14b and the rear rack members 16a and 16b. With respect to the orientation of Fig. 1 of Good, the front of the Good assembly is located to towards the left side of the page and the rear of the assembly is located towards the right side of the page. *See* Good, col. 4, ll. 50-67 (noting that wall 26 of the server drawer 24 of Good is the “front end” 26 and wall 28 is the “rear end” 28). Accordingly, the front of the Good assembly is defined by racks 14a and 14b. More specifically, the innermost vertical edges

of racks 14a and 14b define the opening through which the computer assembly 32 extends. Similarly, racks 16a and 16b define the rear of the Good assembly, and the innermost vertical edges of racks 16a and 16b define the rear opening. In other words, with respect to the orientation of Fig. 1, the rightmost vertical edge of rack 14b and leftmost vertical edge of racks 14a define the front opening, while the rightmost vertical edge of rack member 16b and the leftmost vertical edge of rack member 16a define the rear opening. With this in mind, it is clear that the support members 52 and the slide structures 44 of Good extend into these front and rear openings, as is best illustrated in Fig. 1 of Good. Indeed, in Fig. 1 of Good, almost all of the left support member 52 is to the right of rack members 14b and 16b, and almost all of the right support member 52 is to the left of rack members 14a and 16a.

Therefore, Applicants respectfully assert that Good does not anticipate independent claim 72. Moreover, Applicants respectfully assert that its dependent claims 73-82 are patentable by virtue of their dependencies on an allowable base claim and also by virtue of the additional features recited therein. With the foregoing in mind, Applicants respectfully request reconsideration and allowance of independent claims 72-82.

Section 102 Rejections Under Jordan

As discussed above, the Examiner rejected claims 52-54, 56-60, 62, 64-66, and 68-82 under Section 102 as anticipated by Jordan. Applicants, however, respectfully assert that Jordan at least fails to disclose all of the features recited in amended independent claims 52, 57, 69, 70, and 71 and independent claim 72, which are the independent claims of the above-rejected claims.

Jordan Does NOT Disclose a Rack or Rack Members

As a preliminary matter, Applicants respectfully remind the Examiner that, during patent examination, the pending claims must be given an interpretation that is reasonable

and consistent with the specification. See *In re Prater*, 162 U.S.P.Q. 541, 550-51 (C.C.P.A. 1969); see also M.P.E.P. §§ 608.01(o) and 2111. Indeed, the Federal Circuit has stated that “[c]laims are not to be read in a vacuum, and limitations therein are to be interpreted in light of the specification in giving them their ‘broadest reasonable interpretation’.” *In re Marosi*, 218 U.S.P.Q. 289 (Fed. Cir. 1983) (emphasis in original) (quoting *In re Okuzawa*, 190 U.S.P.Q. 464, 466 (C.C.P.A. 1976)). Moreover, interpretation of the claims must also be consistent within the interpretation that those skilled in the art would reach. See *In re Cortright*, 49 U.S.P.Q.2d 1464, 1468 (Fed. Cir. 1999). That is, recitations of a claim must be interpreted as they would be interpreted by those of ordinary skill in the art in view of the specification. See *Rexnord Corp. v. Laitram Corp.*, 60 U.S.P.Q.2d 1851, 1854 (Fed. Cir. 2001).

With this in mind, Applicants respectfully assert that Jordan does not disclose any semblance of a rack or rack member, as is recited in each of the independent claims of the present application. More specifically, Applicants respectfully assert that the flat internal surface of the piece of furniture described in Jordan cannot reasonably be equated with the rack or rack members recited in the instant claims. In contrast to a rack, Jordan discloses a drawer slide 10 that is secured to a flat and continuous wall 12 of a piece of furniture. See Jordan, Figs 5a-5c; col. 6, ll. 8-27. Indeed, Jordan explicitly states that “the present invention provides a novel and unique apparatus for facilitating support and smooth sliding of drawers in articles of furniture.” *Id.* at col. 6, ll. 47-49 (emphasis added). With this in mind and in view of the specification of the present application, Applicants respectfully assert that one of ordinary skill in the art would not reasonably consider this flat wall 12 of Jordan correlative to the rack or rack member recited in the instant claims.

Furthermore, Applicants respectfully assert that one of ordinary skill in the art would not consider imaginarily divided sections of the physically continuous wall 12 of Jordan individual rack members. In other words, the flat furniture wall 12 described in

Jordan is clearly continuous, and, as such, this wall cannot be arbitrarily interpreted to represent a pair of rack members or first and second rack members, for example, as is recited in some of the instant claims.

Accordingly, Applicants respectfully assert that the instant claims are patentable over Jordan based solely on the fact that Jordan fails to disclose a rack or rack members. Nonetheless, even if, *arguendo*, the wall 12 of Jordan could be equated with a rack or rack members, Applicants respectfully assert that the instant claims recite further features not found in Jordan, as discussed below.

Amended Independent Claims 52, 70, and 71

By way of example, Jordan does not disclose a telescopic rail assembly having a first and second moveable portions disposed, respectively, on opposite sides of a common plane including appropriate peripheral edges of the first and second rack members to which the rail assembly is mounted, as is recited in amended independent claims 52, 70, and 71. Rather, Jordan discloses an assembly in which *all moveable portions* of the drawer slide 10 are located on the same side of such a common plane. *See* Jordan, Figs. 5a-5c (noting that all portions of the slide are located to the left of the furniture wall 12 to which it is mounted). In the Jordan device, the telescoping slide 10 is mounted to a furniture wall 12 via a channel means 20. *See id.* at col. 3, ll. 14-21; Fig. 2. More particularly, as is clearly illustrated in Fig. 4 of Jordan, all portions of this slide 10 are to the right of the wall 12 to which it is coupled. Accordingly, all portions of the slide assembly 10 must also lie to the right of a common plane including the appropriate edges of the furniture wall 12.

With Fig. 4 of Jordan in mind, and assuming, *arguendo*, that wall 12 of Jordan is representative of a rack member, it is the rightmost vertical peripheral edges of this wall 12 that are coplaner. Indeed, in Fig. 4 of Jordan, this coplanar arrangement is illustrated as the flat vertical surface to which the channel means 20 is mounted. Again, the

assembly of Jordan requires that all movable portions are located to one side of the wall to which it is mounted. In other words, Jordan does not teach or suggest that a first moveable portion of the slide 10 is located on one side of the wall 12 and a second movable portion of the slide 10 is located on an opposite side of the wall 12. Thus, Jordan does not disclose an assembly wherein first and second movable portions of a telescopic rail assembly are respectively located on opposite sides of a plane including the appropriate peripheral edges of a rack assembly to which the rail is mounted, as is recited in the instant claims.

Thus, Applicants respectfully assert that Jordan does not anticipate independent claims 52, 70, and 71. Moreover, Applicants respectfully assert that dependents claims 53-56, which depend from claim 52, are patentable not only by virtue of their dependencies on an allowable base claim but also by virtue of the additional features recited therein. With the foregoing in mind, Applicants respectfully request reconsideration and allowance of claims 52-56, 70 and 71.

Amended Claim 57 and the Claims Depending Therefrom

Jordan also does not disclose a support rail having mounting flanges that extend in a direction toward a telescoping rail mounted thereto, as is recited in claim 57, for example. Rather, Jordan discloses that tabs 13 of a channel means 20 extend away from a slide 10 that is mounted to the channel means 20. In the Jordan device, the tabs 13 engage with slots 49 disposed in the wall 12, thereby securing the channel means 20 to the wall 12. *See id.* at col. 5, ll. 60-66. These tabs 13, in contrast to the claimed mounting flanges, extend outwardly and into the wall 12 and, as such, away from the slide 10 (particularly the roller portions 70). *See id.* at col. 5, ll. 60-66; Fig. 4. Thus, the outwardly extending design of the tabs 13 forces all of the channel means 20 and the slide 10 to impinge on the internal volume of the furniture drawer. As a practical matter, this impingement reduces the available storage space in the drawer. Moreover, this impingement limits the maximum width of an object that can be placed in the drawer.

Thus, the Jordan device has a lesser storage capacity in comparison to an assembly having mounting flanges that extend toward the telescoping rail assembly, as is recited in the instant claim. Indeed, such inwardly directed flanges facilitate a recessed placement of the support member and the attached rail assembly between the rack member, thereby increasing useable storage space.

Based on the foregoing, Applicants respectfully assert that Jordan does not anticipate independent claim 57. Moreover, Applicants respectfully assert that dependent claims 58-62 are also not anticipated by Jordan by virtue of their dependencies on an allowable base claim and also by virtue of the additional features recited therein. With the foregoing in mind, Applicants respectfully request reconsideration and allowance of claims 57-62.

Amended Independent Claim 69 and the Claims Depending Therefrom

As another example, Jordan does not disclose a computer component enclosure as is recited in independent claim 69. In contrast to this definition, Jordan discloses a piece of furniture that, in no way, is a housing for any semblance of an electronic component.

As a preliminary matter, Applicants remind the Examiner that when construing claims, the Federal Circuit has consistently looked first to dictionaries, encyclopedias, and treatises, which were publicly available at the time the patent issued, to determine the ordinary and custom meanings of terms used in claims. As stated in *Texas Digital Systems, Inc. v. Telegenix, Inc.*, 308 F.3d 1193, 1202-03 (Fed. Cir. 2002):

Such references are unbiased reflections of common understanding not influenced by expert testimony or events subsequent to the fixing of the intrinsic record by the grant of the patent, not colored by the motives of the parties, and not inspired by litigation. Indeed, these materials may be the most meaningful source of information to assist judges in better understanding both the technology and the

terminology used by those skilled in the art to describe the technology.

The *Texas Digital* court further stated that “[c]onsulting the written description and prosecution history as a threshold step in the claim construction process, before any effort is made to discern the ordinary and customary meanings attributed to the words themselves, invites a violation of our precedent counseling against importing limitations into the claims.” *Id.* at 1204 (cited with approval in *Intellectual Property Development Inc. v. UA-Columbia Cablevision of Westchester Inc.*, 67 U.S.P.Q. 2d 1385, 1389 (Fed. Cir. 2003)).

With this in mind, Applicants note that an enclosure is defined as “[a] housing for loud speakers or other electronic equipment.” MCGRAW-HILL DICTIONARY OF ELECTRONICS 370 (6th ed. 1997). It is worth noting that the above definition is from a dictionary focused in the electrical arts. Accordingly, this definition well demonstrates the definition of the term “enclosure” as interpreted by one of ordinary skill in the pertinent art. In contrast to this definition, Jordan explicitly states that “the present invention provides a novel and unique apparatus for facilitating support and smooth sliding of drawers in articles of furniture.” *Id.* at col. 6, ll. 47-49 (emphasis added). Keeping in mind the above-discussed legal standards with which claims must be interpreted during examination, Applicants respectfully assert that it is not appropriate to equate the furniture drawer of Jordan with the computer component enclosure recited in the instant claim. Indeed, Applicants careful review of Jordan failed to uncover any mention of, let alone a teaching or suggestion related to, electronic components, computers or computer component enclosures. Thus, Applicants respectfully assert that Jordan does not disclose the computer component enclosure recited in claim 69.

Accordingly, Applicants respectfully assert that Jordan does not anticipate independent claim 69. Moreover, Applicants respectfully assert that its dependent claims

64-68 are also not anticipated by Jordan by virtue of their dependencies on an allowable base claim and also by virtue of the additional features recited therein. With the foregoing in mind, Applicants respectfully request reconsideration and allowance of claims 64-69.

Independent Claim 72 and the Claims Depending Therefrom

Additionally and by way of example, Jordan fails disclose a support member that is coupled to front and rear frame portions such that that support member does not extend into first and second openings that are defined by the inner periphery of the front frame portion and the inner periphery of the rear frame portion, respectively, as is recited in claim 72. Rather and as discussed above, Jordan discloses a piece of furniture where the entire slide assembly 10 impinges into the front and rear openings of the front and rear frame portions. *See id.* at col. 1, ll. 5-10; col. 6, ll. 47-54. In Jordan's piece of furniture, the front is toward the direction the drawer would extend when pulled-out (i.e., opened), while, the rear of the furniture piece is opposite to this direction of extension of the drawer. With this in mind, the front and rear frame portions of Jordan are defined by the left and right walls 12 of the furniture piece. More specifically, the front and rear openings of are defined by the innermost vertical edges of the left and right walls 12. Thus, in view of Fig. 4 of Jordan, it is clear that the channel means 20 lies inboard of the innermost vertical edges of the wall to which the channel means 20 is mounted. In other words, the channel means 20 of Fig. 4 lies to the right of the rightmost vertical edge of the wall 12. Thus, the channel means 20 of Jordan clearly extends into the both the front and rear openings of Jordan's furniture piece.

Accordingly, Applicants respectfully assert that Jordan does not anticipate independent claim 72. Moreover, Applicants respectfully assert that its dependent claims 73-82 are patentable by virtue of their dependencies on an allowable base claim and also by virtue of the additional features recited therein. With the foregoing in mind,

Applicants respectfully request reconsideration and allowance of independent claims 72-82.

Rejections Under 35 U.S.C. § 103

In the Office Action, the Examiner rejected dependent claim 55 under 35 U.S.C. § 103(a) as being obvious in view of Good and the Fall et al. reference (U.S. Patent No. 3,687,505). Additionally, the Examiner rejected dependent claims 61 and 67 under the Section 103(a) as obvious in view of Good and the Hastings et al. reference. Applicants respectfully assert that the cited references, taken alone or in combination, do not disclose all of the features recited in the instant claims.

In the instant rejections, the Examiner relied on Good as the primary reference. However, as discussed above, Good fails to disclose all of the features recited in the independent claims of the present application. Moreover, neither the Fall reference nor the Hastings et al. reference obviates the above-discussed deficiencies of Good. Accordingly, Applicants respectfully assert that dependent claims 55, 61, and 67 are patentable over the cited references not only for their dependencies on allowable base claims but also for the additional features recited therein. In light of the foregoing remarks, Applicants respectfully request reconsideration and allowance of dependent claims 55, 61, and 67.

Additionally, the Examiner rejected dependent claim 55 under 35 U.S.C. § 103(a) as being obvious in view of Jordan and the Fall et al. reference. Also, the Examiner rejected dependent claims 61 and 67 under the Section 103(a) as being obvious in view of Jordan and the Hastings et al. reference. Applicants respectfully assert that the cited references, taken alone or in combination, do not disclose all of the features recited in the instant claims.

In the instant rejections, the Examiner relied on Jordan as the primary reference. However, as discussed above, Jordan fails to disclose all of the features recited in the independent claims of the present application. Moreover, neither the Fall reference nor the Hastings et al. reference obviates the above-discussed deficiencies of Jordan. Accordingly, Applicants respectfully assert that dependent claims 55, 61, and 67 are patentable over the cited references not only for their dependencies on allowable base claims but also for the additional features recited therein. In light of the foregoing remarks, Applicants respectfully request reconsideration and allowance of dependent claims 55, 61, and 67.

Conclusion

In view of the remarks and amendments set forth above, Applicants respectfully request allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



Date: February 15, 2005

Manish B. Vyas
Reg. No. 54,516
(281) 970-4545

CORRESPONDENCE ADDRESS
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 80527-2400